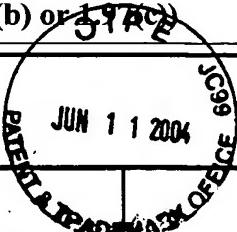


TFO

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.  
 17405

In Re Application Of: Yutaka Yanuma, et al.



Serial No.	Filing Date	Examiner	Group Art Unit
10/766,580	January 27, 2004	Unassigned	Unassigned

Title: BASKET FORCEPS

Address to:  
**Commissioner for Patents**  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

- The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

- The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
  - the statement specified in 37 CFR 1.97(e);
  - OR**
  - the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(e))

Docket No.  
17405

In Re Application: Yutaka Yanuma, et al.

JUN 11 2004

PATENT & TRADEMARK OFFICE  
U.S. DEPARTMENT OF COMMERCE

Serial No.  
10/766,580

Filing Date  
January 27, 2004

Examiner  
Unassigned

Group Art Unit  
Unassigned

BASKET FORCEPS

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- A check in the amount of \_\_\_\_\_ is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.
- Charge the amount of \_\_\_\_\_
- Credit any overpayment.
- Charge any additional fee required.

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F:

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or Printed Name of Person Signing Certificate

**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited on June 8, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

\_\_\_\_\_  
Signature

Thomas Spinelli

\_\_\_\_\_  
Typed or Printed Name

\*This certificate may only be used if paying by deposit account.

\_\_\_\_\_  
Signature

Dated: June 8, 2004

Thomas Spinelli

Registration No. 39,533

SCULLY, SCOTT, MURPHY & PRESSER

400 Garden City Plaza

Garden City, NY 11530

(516) 742-4343

TS:jap

cc:



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Yutaka Yanuma, et al.

**Examiner:** Unassigned

**Serial No.:** 10/766,580

**Art Unit:** Unassigned

**Filed:** January 27, 2004

**Docket:** 17405

**For:** BASKET FORCEPS

**Dated:** June 8, 2004

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

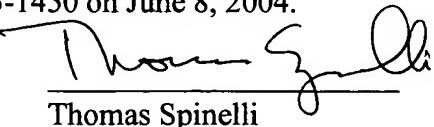
1. German Patent No. DE 90 14 246, dated January 24, 1991;
2. European Patent Application No. EP 0 875 263 A2, dated November 4, 1998;
3. European Patent Application No. EP 0 611 582 A2, dated August 24, 1994;  
and

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 8, 2004.

Dated: June 8, 2004

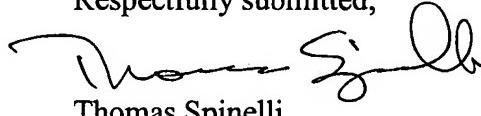
  
Thomas Spinelli

4. United States Patent No. 4,046,149, issued to Komiya, dated September 6, 1977.

The references were cited in a Search Report dated May 6, 2004 received from the European Patent Office. Applicants are submitting copies of references 1-3, together with a copy of the Search Report. In accordance with the waiver of 37 C.F.R. § 1.98 (a)(2)(i) in effect as of June 30, 2003, applicants are not required to submit a copy of the above-cited U.S. Patent reference. Please note that the other reference cited in the Office Action, namely, Japanese Patent Application Publication No. 2-111353, dated April 24, 1990, was previously submitted in applicants' Information Disclosure Statement dated January 27, 2004. The relevance of the above-identified references has been described in the Search Report.

Further, the undersigned hereby states that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,



Thomas Spinelli  
Registration No. 39,533

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343

TS:jap

U.S. PATENT AND TRADEMARK OFFICE  
INFORMATION DISCLOSURE CITATION  
(Use several sheets if necessary)

JUN 11 2004

Docket Number (Optional)  
17405

Application Number  
10/766,580

Applicant(s)  
Yutaka Yanuma, et al.

Filing Date  
January 27, 2004

Group Art Unit  
Unassigned

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,046,149	9/6/1977	Komiya			

FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	DE 90 14 246	1/24/1991	German				
	EP 0 875 263 A2	11/4/1998	EPO				
	EP 0 611 582 A2	8/24/1994	EPO				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

--	--	--

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Yutaka Yanuma, et al.      **Examiner:** Unassigned  
**Serial No.:** 10/766,580      **Art Unit:** Unassigned  
**Filed:** January 27, 2004      **Docket:** 17405  
**For:** BASKET FORCEPS      **Dated:** June 8, 2004

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT PURSUANT TO 37 C.F.R. § 1.704(d)**

Sir:

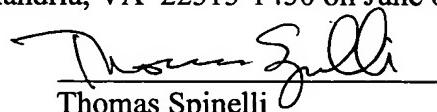
I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

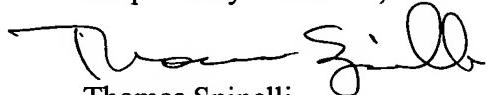
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 8, 2004.

Dated: June 8, 2004

  
Thomas Spinelli

Therefore, this Information Disclosure Statement cannot be considered a failure to engage in reasonable efforts to conclude prosecution of the application under paragraphs (c)(6), (c) (8), (c) (9), or (c) (10) of 37 C.F.R. § 1.704.

Respectfully submitted,



Thomas Spinelli  
Registration No. 39,533

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343

TS:jap